

NOV 14 2008

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

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ELMER LEWIS JOHNSON, JR.,)	Civil Action No. 7:07CV00513
Petitioner,)	
)	<u>2255 FINAL ORDER</u>
v.)	
)	
UNITED STATES OF AMERICA,)	By: Hon. James C. Turk
Respondent.)	Senior United States District Judge

In accordance with the accompanying Memorandum Opinion entered this day, it is hereby

ADJUDGED AND ORDERED

that the Respondent's motion for summary judgment (Dkt. No. 6) is **GRANTED**, and the Petitioner's 28 U.S.C. § 2255 motion (Dkt. No. 1) is **DENIED**.

The Clerk is directed to strike the case from the active docket of the Court, and send copies of this Order and the accompanying Memorandum Opinion to all counsel of record.

ENTER: This 14th day of November, 2008

James C. Turk
Senior United States District Judge